

Document No. 3769 & 3770
Voted at Meeting of 5/3/79

May 3, 1979

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT J. RYAN, DIRECTOR
SUBJECT: ORDERS OF TAKING
CENTRAL BUSINESS DISTRICT
SOUTH STATION URBAN RENEWAL AREA
PROJECT NO. MASS. R-82C

On March 29, 1979, the Authority voted to adopt two Orders of Taking necessary to effect the conveyance of the South Station property to the Massachusetts Bay Transportation Authority.

Copies of these Memoranda, Attachments and the executed Orders of Taking are attached hereto.

Because of various technical difficulties regarding the preparations of the necessary Taking Plans, recording of these Orders of Taking within the 30 day limit was not possible.

It is therefore requested that the Authority again adopt these Orders of Taking, as they are described in the attached March 29, 1979, Memoranda. The Votes which follow are identical to those voted by the Authority on March 29, 1979.

Appropriate Votes follow:

VOTED: That the Authority adopt an Order of Taking for a parcel of land shown on the attached Plan as "Formerly Dorchester Ave." to be more particularly described in said Order of Taking, which Taking shall be subject only to the existing easement rights of Summer Realty Corp. in said parcel.

FURTHER VOTED: That the Authority adopt an Order of Taking for Parcel C-3 and portions of Parcels C-1, C-2 and C-4, shown on the attached Plan as "South Station Property" and to be more particularly described in said Order of Taking.

BOARD APPROVED

MEMORANDUM

MARCH 29, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT J. RYAN, DIRECTOR
SUBJECT: ORDER OF TAKING
PORTION OF DORCHESTER AVENUE
SOUTH STATION URBAN RENEWAL AREA
MASS. R-82

Conveyance of the above parcel to Summer Realty Corp., an affiliate of Stone and Webster Engineering Corp., is planned for April 27, 1979. The primary purpose for said conveyance is to permit the development of the proposed Massachusetts Bay Transportation Authority's Inter-Modal Transportation Terminal at South Station. In return for the above parcel Summer Realty Corp. will relinquish easement rights in the South Station property which, at present, prohibit any aspect of the planned development.

It is therefore recommended that the Director be authorized to adopt an Order of Taking for a portion of Dorchester Avenue, said Order of Taking to be subject only to the existing easement rights of Summer Realty Corp. in said portion of Dorchester Avenue.

An appropriate Vote follows:

VOTED: That the Authority adopt an Order of Taking for a parcel of land shown on the attached Plan as "Formerly Dorchester Avenue", to be more particularly described in said Order of Taking, which Taking shall be subject only to the existing easement rights of Summer Realty Corp. in said parcel.

March 29, 1979

BOARD APPROVED

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT J. RYAN, DIRECTOR
SUBJECT: CONFIRMATORY ORDER OF TAKING
PARCEL C-3 AND PORTIONS OF
PARCELS C-1, C-2, AND C-4 - "SOUTH STATION PROPERTY"
SOUTH STATION URBAN RENEWAL AREA R-32

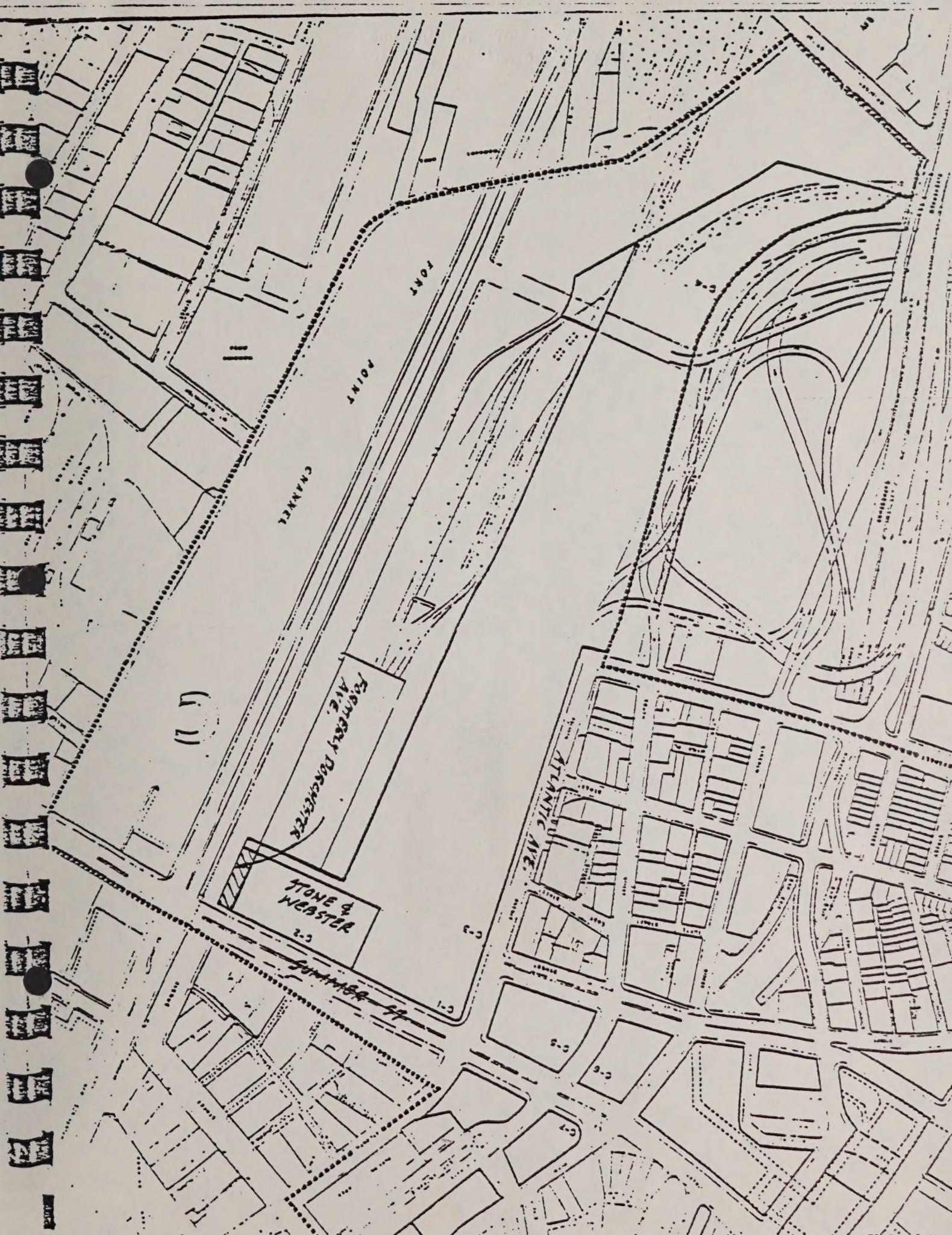
Conveyance of the above Parcels to the Massachusetts Bay Transportation Authority for use in the development of an Inter-Modal Transportation Terminal is scheduled for April 27, 1979.

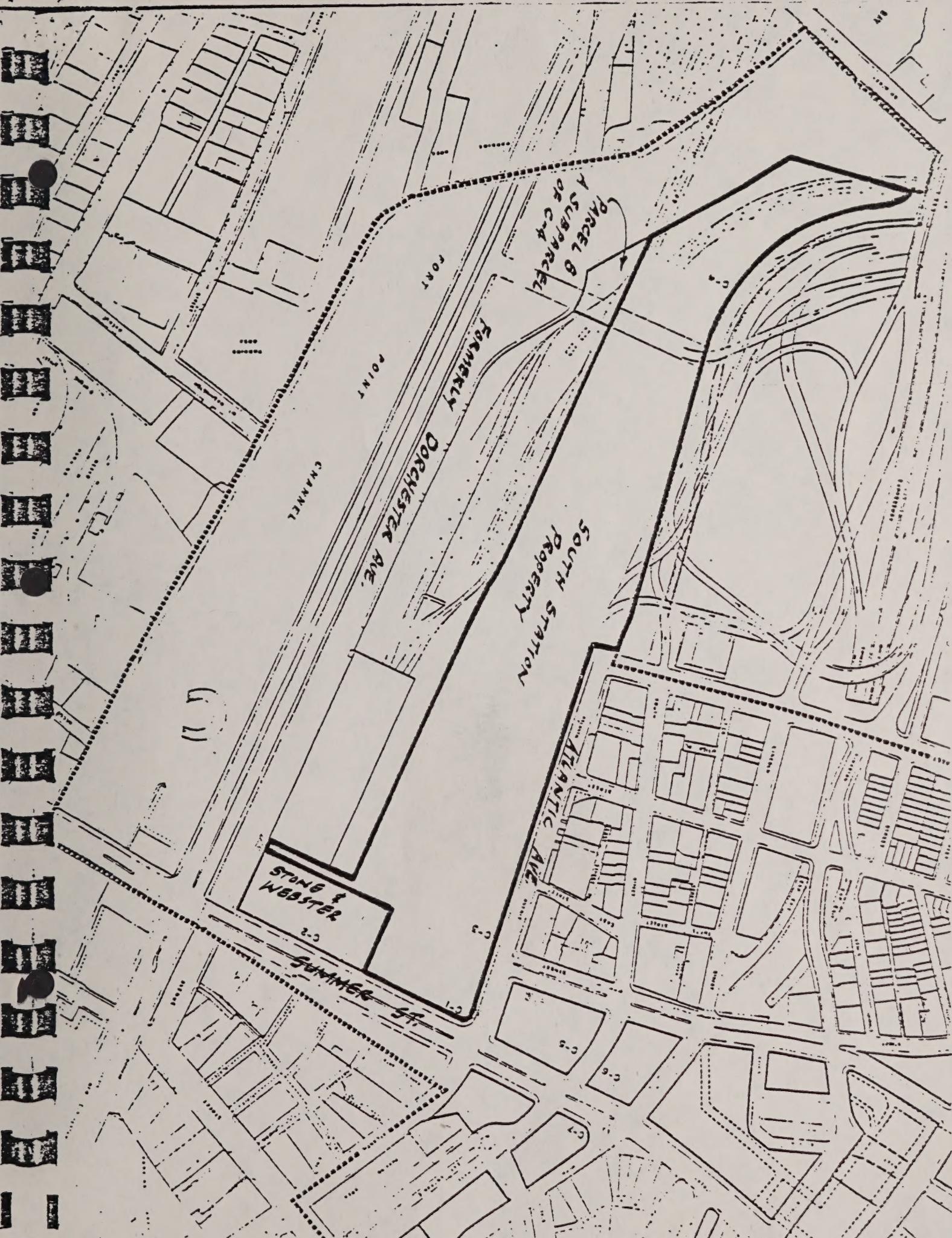
Adoption of an Order of Taking for the purpose of ensuring the timely elimination of any title problems is standard Authority procedure.

It is therefore recommended that the Authority adopt an Order of Taking for the above parcels.

An appropriate Vote follows:

VOTED: That the Authority adopt an Order of Taking for Parcel C-3 and portions of Parcels C-1, C-2 and C-4, shown on the attached Plan as "South Station Property" and to be more particularly described in said Order of Taking.





COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority
that an Order of Taking dated May 3, 1979, relating to a portion
of the CENTRAL BUSINESS DISTRICT SOUTH STATION URBAN
RENEWAL PLAN, AREA MASS. R-82C, be executed and made a
permanent part of these proceedings, a copy of which the Secretary
shall cause to be recorded in the Office of the Registry of Deeds for
the County Suffolk.

A true copy

CERTIFICATE

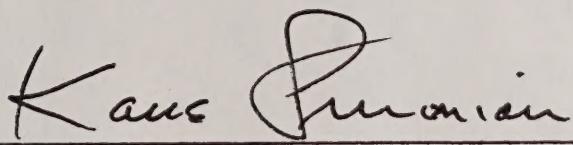
I hereby certify that the following names constitute the
entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
James J. Walsh
James G. Colbert

James K. Flaherty
James E. Cofield, Jr.

A true copy

ATTEST:



Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, SS.

RESOLUTION

WHEREAS, the Boston Redevelopment Authority, in accordance with G. L. c. 121B and its predecessor statute G. L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8632, page 602, an Urban Renewal Plan, dated May, 1968, concerning and describing the CENTRAL BUSINESS DISTRICT SOUTH STATION URBAN RENEWAL AREA, PROJECT NO. MASS. R-82C, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G. L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, subject to the rights of Summer Street Realty Corp., in the land described in said Annex A, said rights being set forth in Exhibit S of a Contract dated July 6, 1973, by and between Summer Street Realty Corp. and the City of Boston, entered into pursuant to Sections 6A and 14 of Chapter 121A of the General Laws of Massachusetts, together with any and all other easements and rights

appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deed with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be

signed in the name and behalf of the Boston Redevelopment
Authority.

MAY 3 1979

BOSTON REDEVELOPMENT AUTHORITY

By:

Joseph Walsh

Joseph J. Walsh

James G. Colbert

James G. Colbert

James K. Flaherty

James K. Flaherty

James E. Cofield, Jr.

James E. Cofield, Jr.

APPROVED AS TO FORM:

MMB

Harold J. Carroll

Harold J. Carroll, Chief General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

CENTRAL BUSINESS DISTRICT - SOUTH STATION

URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following portion of a parcel of land is to be taken by this Order of Taking:

A certain parcel of land, containing approximately 8,435 square feet of land, all as shown on a plan entitled, "Boston Redevelopment Authority, Central Business District South Station Urban Renewal Plan, Project No. Mass. R-82C, Boston, Suffolk County, Massachusetts, Delivery Parcel Plan, Parcel C-8," prepared by Parsons, Brinckerhoff, Quade & Douglas, dated April 2, 1979, which Plan is recorded herewith, and bounded and described as follows:

Beginning at a point of intersection of the southerly side of Summer Street and the easterly side of Dorchester Avenue (formerly the centerline);

Thence running southwesterly by a bearing of S26°-08'-12"W for a distance of 179.75 feet;

Thence running northwesterly by a bearing of N63°-51'-48"W for a distance of 46.00 feet;

Thence running northeasterly by a bearing of N26°-08'-12"E for a distance of 186.98 feet;

Thence running southeasterly by a bearing of S54°-55'-30"E for a distance of 46.56 feet to a point of beginning.

The owners of the portion of the parcel hereby taken are unknown.

COMMONWEALTH OF MASSACHUSETTS
SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority
that an Order of Taking dated May 3, 1979, relating to a portion
of the CENTRAL BUSINESS DISTRICT SOUTH STATION URBAN
RENEWAL PLAN, AREA MASS. R-82C, be executed and made a
permanent part of these proceedings, a copy of which the Secretary
shall cause to be recorded in the Office of the Registry of Deeds for
the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the
entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
James J. Walsh
James G. Colbert

James K. Flaherty
James E. Cofield, Jr.

A true copy

ATTEST: Karl F. Munroe
Secretary of the Boston Redevelopment Authority

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G. L. c. 121B and its predecessor statute G. L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8632, page 602, an Urban Renewal Plan, dated May, 1968, concerning and describing the CENTRAL BUSINESS DISTRICT SOUTH STATION URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G. L. c. 79, §40.

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston, as hereinafter described in ANNEX A, subject to any and all easement rights of Summer Street Realty Corp. in the land described in said ANNEX A and subject further to all easements and restrictions contained in a Deed from the Boston Terminal Corporation to the Boston Redevelopment Authority, except those easements and restrictions which are contained in paragraphs (a), (b), (d) and (e) of said Deed, which Deed is recorded in Suffolk

Registry of Deeds in Book 8008 at page 782, together with any and all other easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereunto affixed and these presents to be

signed in the name and behalf of the Boston Redevelopment
Authority.

BOSTON REDEVELOPMENT AUTHORITY

MAY 3 1970

By:

Joseph J. Walsh

Joseph J. Walsh

James G. Colbert

James G. Colbert

James K. Flaherty

James K. Flaherty

James E. Cofield, Jr.

James E. Cofield, Jr.

APPROVED AS TO FORM:

MMB

Harold J. Carroll

Harold J. Carroll, Chief General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

CENTRAL BUSINESS DISTRICT - SOUTH STATION

URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are to be taken by this Order:

Boston Redevelopment Authority Parcels C1-B, C-2A, C-3, C-4A and C-9, containing a total area of approximately 917,562 square feet of land, shown on a plan entitled, "Boston Redevelopment Authority, Central Business District South Station Urban Renewal Plan, Project No. Mass. R-82C, Boston, Suffolk County, Massachusetts, Delivery Parcel Plan, Parcels C-1B, C-2A, C-3, C-4A and C-9, dated April 2, 1979," prepared by Parsons, Brinckerhoff, Quade & Douglas, Inc., Boston, which Plan is recorded herewith.

Parcels C1-B, C-2A, C-3 and C-4A, are bounded and described as follows:

Beginning at the intersection of the east side of Atlantic Avenue and the south side of Summer Street and running southeasterly on a bearing of S58°-09'-10"E for a distance of 72.40 feet;

Thence running northeasterly on a bearing of N77°-39'-46"E for a distance of 33.10 feet;

Thence running southeasterly on a bearing of S57°-20'-12"E for a distance of 219.44 feet;

Thence running southwesterly on a bearing of S32°-39'-48"W for a distance of 25.55 feet;

Thence running southwesterly on a bearing of S28°-33'-36"W for a distance of 212.03 feet;

Thence running southeasterly on a bearing of S63°-51'-48"E for a distance of 453.21 feet;

Thence running southwesterly on a bearing of S26°-08'-12"W for a distance of 30.00 feet;

Thence running northwesterly on a bearing of N63°-51'-48"W
for a distance of 307.12 feet;

Thence running southwesterly on a bearing of S26°-08'-12"W
for a distance of 967.24 feet;

Thence running southwesterly on a bearing of S38°-55'-35"W
for a distance of 7.22 feet;

Thence running southwesterly on a bearing of S26°-08'-12"W
for a distance of 1,012.60 feet;

Thence running southwesterly on a bearing of S63°-08'-35"W
for a distance of 380.83 feet;

Thence running southwesterly on a bearing of S53°-01'-31"W
for a distance of 80.41 feet;

Thence running northwesterly on a bearing of N73°-41'-40"W
for a distance of 354.63 feet;

Thence running northeasterly on a bearing of N53°-25'-10"E
for a distance of 72.00 feet;

Thence running northeasterly on a bearing at N86°-11'-08"E
for a distance of 91.94 feet;

Thence running northeasterly on a bearing of N74°-05'-19"E
for a distance of 156.00 feet;

Thence running northeasterly on a bearing of N53°-21'-19"E
for a distance of 163.94 feet;

Thence running northeasterly on a bearing of N38°-12'-01"E
for a distance of 161.80 feet;

Thence running northeasterly on a bearing of N20°-32'-06"E
for a distance of 90.06 feet;

Thence running northeasterly on a bearing of N16°-23'-21"E
for a distance of 774.86 feet;

Thence running northeasterly on a bearing of N28°-24'-49"E
for a distance of 120.00 feet;

Thence running northeasterly on a bearing of N16°-23'-21"E
for a distance of 24.79 feet;

Thence running southeasterly on a bearing of S73°-25'-11"E
for a distance of 94.53 feet;

Thence running northeasterly on a bearing of N20°-03'-18"E
for a distance of 1,176.95 feet to a point of beginning.

The owners of the parcel hereby taken are unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

CENTRAL BUSINESS DISTRICT - SOUTH STATION

URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.